

REMARKS:

In a telephone interview on January 12, 2006, the Examiner, the inventor, and the undersigned attorney discussed the final Office Action mailed on November 17, 2005. During the interview the Examiner proposed that Applicant send her for review a proposed claim set incorporating proposed amendments along the lines discussed during the interview.

The undersigned attorney faxed such a proposed amendment to the Examiner on January 17 and discussed it with the Examiner on February 8, 2006. During the discussion on February 8, the Examiner said that the amendment appears to place the case in condition for allowance but indicated that the Applicant must formally file the amendment in order that it be entered.

Claims 5-8 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,918,217 (Maggioncalda). Applicant believes that claims 5-8 (amended as set forth above) and new claims 13-16 are patentable over the cited reference.

Maggioncalda fails to teach or suggest a processor which performs any arithmetic (or geometric) performance attribution computation, and fails to teach or suggest a processor which performs the operations specifically recited in any of amended claims 5 and 6 and new claims 13 and 16. Maggioncalda also fails to teach or suggest a computer readable medium which contains instructions for programming a processor to perform any arithmetic (or geometric) performance attribution computation, and fails to teach or suggest a computer readable medium which contains instructions of the type specifically recited in amended claim 7 or 8.

Consideration and allowance of claims 5-16, as hereby amended, is respectfully requested.

Respectfully submitted,

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Attorney Docket No. VTEK-100

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